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09/637,120	08/11/2000	Eric Edwards	080398.P366	7324

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EXAMINER

KE, PENG

ART UNIT PAPER NUMBER

2174

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/637,120

Applicant(s)

EDWARDS ET AL.

Examiner

Peng Ke

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 6-11, 13, 23-38 and 40-51 is/are pending in the application.
- 4a) Of the above claim(s) 36 and 37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-11, 13, 23-35, 38 and 40-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Action is Final.

This action is responsive to communications: Amendment, filed on 6/13/05.

Claims 1-3, 6-11, 13, 23-38, and 40-51 are pending in this application. Claims 1, 23, 38 and 49 are independent claims. In the Amendment, filed on 6/13/05, claims 1-3, 6-11, 13, 23, 28,, 38, 40, and 41 were amended; claims 4, 5, 12, 14-22, and 39 were cancelled; claims 36 and 37 were withdrawal; claims 42-51 were added.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7-11, 13,23-26, and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255).

As per independent claim 1, Foreman et al. teaches a computerized method for displaying images comprising:

Specifying from at least one source of a plurality of sources access the images to be displayed; (column 9, lines 34-59; Each individual clip is a source)

accessing a plurality of presentation images from the one or more specified sources, the plurality of presentation images having inconsistent presentation attributes; (column 2, lines 14-30, column 8, lines 16-34);

arranging the presentation images according to at least one characteristic (column 2, lines 50-64); and

organizing the presentation images in a visual presentation, wherein organizing includes modifying the inconsistent presentation attributes of the plurality (col. 11, lines 60-67, col. 12, lines 1-1-15) of presentation images to have consistent presentation attributes (col 2, lines 5-10, col 8, lines 35-46).

However, Foreman fails to teach automatically modifying the inconsistent presentation attributes.

Gonsalves teaches automatically modifying the inconsistent presentation attributes. (col. 21, lines 21-40)

It would have been obvious to an artisan at the time of the invention to include Gonsalves' teaching with method of Forman in order to allow user to apply several color modifications to each of the selected segments.

As per claim 2, which is dependent on claim 1, Foreman et al. and Gonsalves teach the computerized method of claim 1. Foreman further teaches the method comprising: selecting the characteristic from the group consisting of distance, perspective, magnification, and angle (col 7, lines 24-26). The examiner is inferring to the fact the sequence of shots that are selected is captured in the perspective of the recorder.

As per claim 3, which is dependent on claim 1, Foreman et al. and Gonsalves teach the computerized method of claim 1. Foreman further teaches the method wherein modifying the inconsistent presentation attributes of the plurality of presentation images includes modifying the either size or exposure for one of more of the plurality of presentation images to be sonsistent

with a reminder of the plurality of presentation images. (col. 11, lines 60-67, col. 12, lines 1-1-15).

As per claim 7, which is dependent on claim 1, Foreman et al. and Gonsalves teach the method of claim 1. Foreman further teaches the method comprising:

accessing additional information, wherein the additional information is selected by a computer user and affect the appearance of the visual presentation (col 11, lines 63-67, col 12, lines 1-6).

As per claim 8, which is dependent on claim 1. Foreman et al. and Gonsalves teach the method of claim 1. Foreman further teaches the method wherein accessing the plurality of presentation images comprises:

uploading a plurality of presentation images from a client (col 6, lines 17- 54, col 8, lines 1-15, lines 35-47). It is inherent for a client to bring in a removable disk.

As per claim 9, which is dependent on claim 1, Foreman et al. and Gonsalves teaches the method of claim 1. Foreman further teaches wherein accessing a plurality of presentation images comprises:

loading the plurality of presentation images from a database (col 6, lines 17-54).

As per claim 10, which is dependent on claim 1, Foreman et al. and Gonsalves teach the method of claim 1. Foreman further teaches wherein accessing a plurality of 2 presentation images comprises: uploading at least one presentation image from a client being one of the specified (col 6, lines 17-54); and loading at least one presentation image from a database being one of the specified (col 12, lines 27-38). It is inherent that the effects are a part of the original database.

As per claim 11, which is dependent on claim 1, Foreman et al. and Gonsalves teach the computerized method of claim 1. Foreman further teaches wherein accessing a plurality of presentation images comprises: loading at least one presentation image from a computer-readable medium being one of the specified sources (col 6, lines 17-54).

As per claim 13, which is dependent on claim 1, Foreman et al. and Gonsalves teach the computerized method of claim 1. Foreman further teaches comprising:

saving the visual presentation on a computer-readable medium (col 7, lines 30-35).

As per independent claim 23, it is rejected with same rationale as claim 1. (see rejection above)

As per claim 24, which is dependent on claim 23, it is of the same scope as claim 2. (see rejection above)

As per claim 25, which is dependent on claim 23, it is of the same scope as claim 3. (see rejection above)

As per claim 26, Foreman et al. and Gonsalves teach the method of claim 27. Foreman further teaches the computer executable instructions further comprising: accessing an address for a location (column 6, lines 18-53). It is inherent for the system to access the memory address where the video clips are stored.

As per claim 29, which is dependent on claim 23, it is of the same scope as claim 7. (see rejection above).

As per claim 30, which is dependent on claim 23, it is of the same scope as claim 8. (see rejection above).

As per claim 31, which is dependent on claim 23, it is of the same scope as claim 9. (see rejection above).

As per claim 32, which is dependent on claim 23, it is of the same scope as claim 10. (see rejection above).

As per claim 33, which is dependent on claim 23, it is of the same scope as claim 11. (see rejection above).

As per claim 34, which is dependent on claim 23, it is of the same scope as claim 12. (see rejection above).

As per claim 35, which is dependent on claim 23, it is of the same scope as claim 13. (see rejection above).

Claims 45 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Vasudevan et al. (US 6,892,351)

As per claim 45, Foreman et al. and Gonsalves teach the method of claim 1. However they fail to teach where prior to accessing the plurality of presentation images, the method further comprises:

Specifying whether the visual presentation appears in black-and-white or color.

Vasudevan et al. teaches a method further comprises:

Specifying whether the visual presentation appears in black-and-white or color. (column 7, lines 19-30)

Art Unit: 2174

It would have been obvious to an artisan at the time of the invention to include Vasudevan teaching with method of Forman and Gonsalves in order to allow users to convert a color video to a black and white video.

As per claim 48, which is dependent on claim 23, it is of the same scope as claim 45. Supra.

Claims 38, 40, 43, 44, 46, 47, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Asami (US 6,747,674)

As per claim 38, Foreman teaches means for accessing a plurality of presentation images having inconsistent presentation attributes; (column 2, lines 14-30, column 8, lines 16-34)

Means for arranging the presentation images according to at least one characteristic; (column 2, lines 50-64) and

However, Foreman fails to teach means for organizing the presentation images in a visual presentation, wherein organizing includes automatically modifying the inconsistent presentation attributes of the plurality of presentation images to have consistent presentation attributes.

Gonsalves teaches means for organizing the presentation images in a visual presentation, wherein organizing includes automatically modifying the inconsistent presentation attributes of the plurality of presentation images to have consistent presentation attributes. (col. 21, lines 21-40)

It would have been obvious to an artisan at the time of the invention to include Gonsalves' teaching with method of Forman in order to allow users to apply several color modifications to each of the selected segments.



However both Foreman and Gonsalves fail to teach means for selecting at least one characteristic from a group consisting of a distance and a magnification;

Asami et al. teaches means for selecting at least one characteristic from a group consisting of a distance and a magnification. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami teaching with method of Forman and Gonsalves in order to allow users to create a zooming effect.

As per claim 40, which is dependent on claim 38, it is of the same scope as claim 3. (see rejection above).

As per claim 43, Foreman and Gonsalves teach the method of claims 2.

However both Foreman and Gonsalves fail to teach means for selecting at least one characteristic from a group consisting of a distance and a magnification;

Asami et al. teaches means for selecting at least one characteristic from a group consisting of a distance and a magnification. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami's teaching with method of Forman and Gonsalves in order to allow users to create a zooming effect.

As per claim 44, Foreman and Gonsalves teach the method of claims 2.

However both Foreman and Gonsalves fail to teach specifying how quickly the visual presentation pans around a location if the perspective or angle characteristic from the group is selected.

Asami et al. teaches specifying how quickly the visual presentation pans around a location if the perspective or angle characteristic from the group is selected. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami teaching with method of Forman and Gonsalves in order to provide users with an indication of zooming time.

As per claims 46 and 47, they are rejected with the same rationale as claims 43 and 44 respectively. Supra.

As per claim 49, it is rejected with the same rationale as claim 38. Supra.

As per claim 50, which is dependent on claim 49, it is of the same scope as claim 47. Supra.

Claims 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Doty (US 6,795,863)

As per claim 42, Foreman and Gonsalves teach claim 1. However, they fail to teach the method wherein the specifying from the at least one source of the plurality of sources comprises:

Sending a web page to a client, the web page identifying parameters that are used for accessing the plurality of presentation images.

Doty, Jr. teaches at least one source of the plurality of sources comprises:

Sending a web page to a client, the web page identifying parameters that are used for accessing the plurality of presentation images. (column 4, lines 51-column 5, lines 3)

It would have been obvious to an artisan at the time of the invention to include Doty, Jr.'s teaching with method of Foreman and Gonsalves in order to allow users to stream video by email.

Claims 6, 19, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Danial (US 5,940,806)

As per claim 6, Foreman et al and Gonsalves et al teach the computerized method of claim 1. However they don't teach the method further comprising: receiving compensation from a client. Danial teaches a method comprising: receiving compensation from a client (col 11, lines 10-30). It would have been obvious to an artisan at the time of the invention to include Danial's teaching with method of Foreman and Gonsalves in order to provide sufficient cost for shopping and other cost relating to the service.

As per claim 19, which is dependent on claim 14, it is of the same scope as claim 6. (see rejection above)

As per claim 28, which is dependent on claim 23, it is of the same scope as claim 6. (see rejection above)

Claims 6, 19, 28 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Danial (US 5,940,806)

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Asami (US 6,747,674) further in view of Danial (US 5,940,806)

As per claim 41, Foreman et al, Gonsalves et al, and Asami teach the computerized method of claim 1. However they don't teach the method further comprising: receiving compensation from a client. Danial teaches a method comprising: receiving compensation from a client (col 11, lines 10-30). It would have been obvious to an artisan at the time of the invention to include Danial's teaching with method of Foreman, Gonsalves and Asami in order to provide sufficient cost for shopping and other cost relating to the service.

Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foreman et al. (US 6,469, 711) in view of Gonsalves et al. (US 6,571,255) further in view of Asami (US 6,747,674) further in view of Danial (US 5,940,806)

As per claim 51, Foreman, Gonsalves, and Asami teach the independent claim 49. However they fail to teach where prior to accessing the plurality of presentation images, the method further comprises:

Specifying whether the visual presentation appears in black-and-white or color.

Vasudevan et al. teaches a method further comprises:

Specifying whether the visual presentation appears in black-and-white or color. (column 7, lines 19-30)

It would have been obvious to an artisan at the time of the invention to include Vasudevan teaching with method of Forman, Gonsalves, and Asami in order to allow users to convert a color video to a black and white video.

***Response To Argument***

Applicant's arguments with respect to claims 1-3, 6-11, 13, 23-38, and 40-51 have been considered but are deemed to be moot in view of the new grounds of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

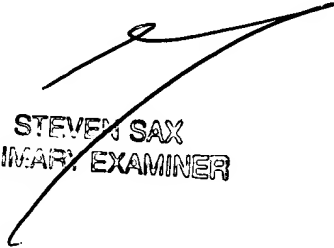
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke

  
STEVEN SAX  
PRIMARY EXAMINER

EXAMINER